

Application Serial No. 10/750,580  
Response dated September 22, 2006  
Reply to Office Action dated August 2, 2006

Remarks

This paper is filed in response to the final Office Action mailed August 2, 2006. Claims 1-9 and 31-51 are pending. Claims 31-51 are withdrawn as being directed to a non-elected invention. Claims 1-9 have been examined.

Interview

Applicants thank the Examiner for the phone interview with their representative on September 21, 2006. The discussion focused on specific passages in the original specification and drawings that support the asserted new matter. A complete discussion is presented below. No agreement was reached.

Rejection under 35 U.S.C. § 112, first paragraph

Claims 1-9 are rejected as failing to comply with the written description requirement for containing subject matter which was not described in the specification as filed. The Examiner asserts that the claim language "a window situated within the second perimeter" added to claim 1 in the amendment filed March 10, 2006, constitutes new matter. Applicants respectfully disagree.

The specification, as originally filed, discloses "dimensions and spacing (periodicity) of posts 13 may depends upon the refraction index of the window material"; emphasis added, see page 5, lines 19-21. Applicants submit that the specification as filed thus describes "window material" as being in the region of posts 13. The original specification also discloses "the index of the solid window or wafer 11 material."

Emphasis added; see page 6, lines 8-9. Applicants submit that the original specification thus describes a "window" formed of the wafer 11 material.

Original claim 1, as filed, recited:

1. An integrated package comprising:
  - a first wafer having a first surface;
  - a second wafer having a first surface bonded at a first perimeter to the first surface of the first wafer; and
  - a recess formed in the first surface of the first wafer in a second perimeter situated within the first perimeter.

(Emphasis added). The original specification discloses seal ring 18, malleable layer 17, spacer layer 15, and bonding material 16 as forming a bond between wafers 11 and 19. See page 8, line 14 through page 9, line 8. The first perimeter is thus the region where the first and second wafers are bonded together. The original specification discloses portions 22 (recess) that are etched away from wafer 11 to provide volume within and between wafers 11 and 19. See page 9, lines 9-11. Looking at Figure 6, one of ordinary skill in the art can determine that portions (or recesses) 22 are between the seal formed by elements 15-18 at the first perimeter, and the bumps/posts 13 formed on the wafer/window material 11. The second perimeter is thus the region between the recess 22 and bumps/posts 13. The region inside of the second perimeter is thus the portion of wafer/window material 11 containing bumps/posts 13. Applicants submit that the original specification, claims, and drawings thus provide a written description of "a window situated within the second perimeter"

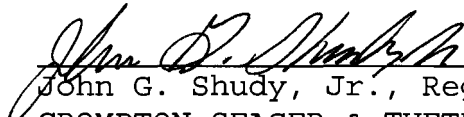
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as is now recited in independent claim 1. Reconsideration and withdrawal of the rejection are respectfully requested.

Reconsideration and reexamination are respectfully requested. It is submitted that, in light of the above remarks, all pending claims are now in condition for allowance. If a telephone interview would be of assistance, please contact the undersigned attorney.

Respectfully submitted,

Date: 09-22-06

  
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